



NOTICE OF APPEAL

PATENT

File No. A32130 072396.0162

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

OCT 18 2000

TECH CENTER 1600/2900

In re Application of : Aldo T. Iacono

Serial No. : 09/244,792

Examiner : Travers, R.

Filed : February 5, 1999

Group : 1614

For : USE OF AEROSOLIZED CYCLOSPORINE FOR PREVENTION  
AND TREATMENT OF PULMONARY DISEASE

NOTICE OF APPEAL FROM PRIMARY EXAMINER TO  
THE BOARD OF PATENT APPEALS AND INTERFERENCES

H9  
SUGS  
10-20-00

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from  
the decision of the Primary Examiner, mailed April 10, 2000 finally rejecting claims 19-47.

The items checked below are appropriate:

1. STATUS OF APPLICANT

This application is on behalf of

☐ other than a small entity

☒ small entity

Verified statement

10/16/2000 EHAMOND 00000020 09244792

01 FC:219  
02 FC:217

155.00 ☐ attached

445.00 ☐

☒ already filed on May 14, 1999

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an  
envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on October 10, 2000

Date of Deposit

Carmella L. Stephens

Attorney Name

*Carmella L. Stephens*

Signature

41,328

Registration No.

October 10, 2000

Date of Signature

## 2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. 1.17(e) the fee for filing the Notice of Appeal is

<input checked="" type="checkbox"/>	small entity	\$	155.00
<input type="checkbox"/>	other than a small entity	\$	310.00

Notice of Appeal Fee due \$155.00

## 3. EXTENSION OF TERM

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

(a)☒ Applicant petitions for an extension of time under 37 CFR 1.136 (check below the total number of months of extension requested):

	Extension (months)	Fee for other than small entity	Fee for small entity
<input type="checkbox"/>	one month	\$110.00	\$ 55.00
<input type="checkbox"/>	two months	390.00	195.00
<input checked="" type="checkbox"/>	three months	890.00	445.00
<input type="checkbox"/>	four months	1,390.00	695.00

Fee \$445.00

(check and complete the next item, if applicable)

☐ An extension for \_ months has already been secured and the fee paid therefor of \$ \_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ \_

or

(b)☒ In the event that an extension of time is required, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

## 4. TOTAL FEE DUE

The total fee due is

Notice of Appeal fee \$ 155.00

Extension fee (if any) \$ 445.00

TOTAL FEE DUE \$ 600.00

5. FEE PAYMENT

☒ Attached is a check in the sum of \$ 600.00.

☐ Charge Deposit Account No. 02-4377 the sum of \$ \_.

6. FEE DEFICIENCY

☒ The Commissioner is hereby authorized to charge payment of any additional fees required associated with this communication to Deposit Account No. 02-4377. Two copies of this sheet are provided for this purpose.

Respectfully submitted,

*Carmella L. Stephens*

Rochelle K. Seide

Patent Office Reg. No.32,300

Carmella L. Stephens

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Enclosure(s)